

Appendix 2: Right of Reply – summary of hearing discussion, response points, and revised recommendation(s):

This table contains the recommendations for sites not provided to the Panel on Tuesday 6th September. This consists of the following sites:

- GF11
- GF14
- RS14
- RS153, RS204
- RS170
- RS171
- RS193
- RS206, RS206a, RS77

I also provide some further information regarding my recommendation for GF05/GF05a, GF10 (both from Appendix 1 of my right of reply), and also further information on my recommendation for S187.017.

Site ID	Site Address	Additional DCC expert evidence	Summary of Hearing Discussion	Response to Hearing Discussion, Answer to Panel’s Questions, and Revised Recommendations	2GP Implementation
GF11	Polwarth Road and Wakari Road, Helensburgh	DCC Transport: The proposed access into 195 Wakari Road is suitable, however it is dependent on agreement from the owners of the right of way. If the developer can provide the access as proposed, then a connection with GF10 is not necessary. If the developer is unable to provide the access as proposed, then a connection with GF10 will likely be required. DCC Parks and Recreation: A minimum community neighbourhood park of 5,000m² is required at a centrally located position within GF11. Landscape: Mr McKinlay’s opinion remains that there is some value in having an area of Large Lot zoning, as per his original evidence. However, he notes that the benefits of this transition would be relatively localised. He notes that the proposed subdivision design provided for this site, includes larger lots at the highest point of the site. Additionally, grass berms with street trees are proposed throughout the subdivision. He considers that if, provision is made for larger lots in this area (approximately 1,000m²) and street trees are specified at suitable densities, large lot zoning would not be required.	Mr Darryl Sycamore: • Discussed 195 Wakari Rd, part of the broader GF11 site. • Doesn’t consider RTZ practical, as it will limit development as different landowners will have different timeframes for development. • Proposes instead that a single RTZ be applied over 195 Wakari Rd only, so development is not reliant on other adjacent landowners. • Notes that it is now proposed to retain the encumbrance present over part of 195 Wakari Road Mr Ben Kidston (owner of 195 Wakari Road): • Does not support the mix of GR1 and LLR1 zoning as recommended in the s42A report. Requests GR1 across the entire site and states design controls would be implemented through the subdivision process. Rezoning to GR1 would allow the site’s maximum development potential to be realised. Ms Emma Peters (for Grant Motion): • Questions the recommendation to apply an RTZ, and asks if this is in scope and necessary. With respect to 312 Wakari Road, an RTZ is not necessary as issues can be dealt with at the time of subdivision. • Notes significant yield constraints on 312 Wakari Road with respect to the National Grid corridor and topography.	Response Points • A question was asked about the difference between a RTZ and an NDMA. I note that there has been confusion in some of the evidence provided and on occasion one term has been used when the other is meant. An RTZ is used where land has been identified as appropriate for growth but where infrastructure servicing is not planned in the medium term (out to 10 years). The RTZ enables these areas to transition to residential use once infrastructure is available. It also manages activities in the meantime to ensure areas remain suitable for future residential use by restricting activities that may make it harder to develop in the future. An RTZ can be released in part, so applying one RTZ over a wider area will not prevent development of individual sites, as the RTZ can be uplifted in part, when the release criteria are met. The purpose of the NDMA is to ensure the development of well-functioning urban environments through policies and assessment rules to guide the subdivision and development of larger areas of ‘greenfield’ residential zoned land. These provisions reflect the Plan’s strategic directions and best practice urban planning and design principles. In particular, an NDMA is used to appropriately manage stormwater, by requiring that a comprehensive stormwater management plan is developed across the whole NDMA. Applying NDMA to smaller areas does not allow this to occur, and would be justified primarily if areas were in different stormwater catchments. • The purpose of the original RTZ recommendation was to ensure that necessary infrastructure upgrades were identified, planned (particularly on-site upgrades that will affect multiple landowners), and cost sharing arrangements agreed. Since the s42A report was published, there has been further discussions regarding these matters. I acknowledge the submitters concerns about the ability to develop if this is predicated on agreement between all landowners on various matters. I now note that: a. An ITA has been progressed by DCC, identifying wider network upgrades and the preferred location of roading connections; b. Offsite roading upgrades will be undertaken by DCC with the cost recovered through development contributions. This is a pragmatic approach, recognising that there are a number of individual landowners and that some upgrades will also have some wider public benefit;	• Rezone GF11 and the requested extensions to GR1. The exception to this is that the area of 311 Wakari Road within GF11 is rezoned to LLR1. • Apply an NDMA over 312 Wakari Road. • Apply another NDMA over the remainder of GF11, with the exception of 296 Wakari Rd which does not require an NDMA. • Remove the ‘high class soils mapped area’ • Amend the boundary of the Flagstaff-Mt Cargill SNL to exclude GF11a, and the northern area of 195 Wakari Road. • Apply a structure plan to the area of GF11 located to the north of Wakari Road. This should manage minimum site size and density in the more elevated areas of 195 and 245 Wakari Road, an indicative roading layout, requirement for a 5,000m² reserve, and

		3 Waters: Rezoning is possible from a 3 Waters perspective. Regarding NDMA boundaries, 3 Waters has informed me that 312 Wakari Rd is hydrologically separated from the balance of GF11 in terms of stormwater, and a separate NDMA for this site is reasonable. 296 Wakari Rd is also hydrologically separated in terms of stormwater, however given its small size and limited development potential, an NDMA is not necessary for this site. 280 Wakari is hydrologically connected to the upstream parts of GF11. This is evidenced from topographical information, and also from two road culverts that flow from the north side of Wakari Rd into 280 Wakari Rd. 280 Wakari Rd should therefore remain part of the NDMA over the rest of GF11.	- Notes that the majority of submissions received for site GF11 focused on sites to the north of Wakari Rd. Mr Grant Motion: - Discussed the National Grid corridor. There is potential for this to go underground in the future and realigned to follow Wakari Road. However, timeframe of this is unknown Mr Brent Hastie: - Opposes rezoning and is primarily concerned with loss of rural atmosphere, biodiversity, and impacts to birdlife. GF11: Mr Neil Brown - Resides at 175 Wakari Rd, which has the right of way attached to it. - Outlined concerns including loss of green space, visual amenity, loss of biodiversity, impacts on air quality, more light and noise pollution, more surface run-off. - Submitter stated they have been approached by developer to give up part of their land (which forms the right of way), but submitter is not willing to do this. - Open to potentially LLR density and would be open to discussing access options for this, but not GR1 density.	c. Structure plan mapped area rules can identify the need for specific internal roading connections (e.g. a connecting road through the area, and the approximate location of connections to Wakari Road); d. A requirement for a recreation reserve can be included in a structure plan rule. The location can be determined at the time of subdivision; e. Stormwater management can be achieved through the NDMA provisions. - As a consequence, I no longer recommend an RTZ is applied to this site. - NDMA: One of the most significant purposes of the NDMA provisions is to effectively manage stormwater. DCC 3 Waters has advised that 312 Wakari Road is hydrologically separated from the balance of GF11 in terms of stormwater, and it is reasonable to have a separate NDMA apply to this site. 296 Wakari Rd also appears hydrologically separated from the balance of GF11, however given its small size and limited development potential, an NDMA is not considered necessary for this site. The remainder of GF11 should have a single NDMA applied over it. - With respect to a separate NDMA over 195 Wakari Road only, 3 Waters is not supportive of this approach, as 195 Wakari Road is hydrologically connected to the other parts of GF11, and 3 Waters is not supportive of piecemeal or individual site approaches of stormwater management. - DCC Transport has provided further comment regarding the road upgrades considered necessary. The key upgrades consist of road widening in parts, cycle lanes, footpaths, street lighting, the Helensburgh Rd / Wakari Rd intersection upgrade (although it is noted this may not be justified for this development alone), and a possible link to Honeystone St depending on the access situation for 195 Wakari Rd. As noted above, off-site upgrades will be provided by DCC and funded through development contributions. Recommendation As noted above, I no longer consider it is necessary to apply an RTZ to this site. I also recommend that two separate NDMA's are applied over the area, reflecting the hydrological catchments. I do not consider an NDMA over 296 Wakari Road necessary. I also continue to recommend structure plan mapped area rules are applied. However, give the specific rules recommended (see below), the structure plan need only apply to the sites to the north of Wakari Road, as these rules are not relevant for 312, 296, and 280 Wakari Rd (to the south). I note Mr McKinlay's recommendation in relation to requiring larger lots (approx. 1,000m²) and street trees rather than LLR zoning over the more elevated areas of 195 and 245 Wakari Rd (the area which was recommended as LLR1 zoning in the s42A report). I continue to recommend LLR on the property adjacent to Ross Creek, as this was Mr McKinlay's original recommendation in the s42A report and there was no challenge to this approach. I recommend that Mr McKinlay's advice be implemented via structure plan rules for GF11. Overall, I continue to recommend rezoning GF11 (and the requested extensions), as outlined below: - Rezone the majority of GF11 (and the requested extensions: GF11a and the northern part of 195 Wakari Rd) to General Residential 1. The one exception to this is that I recommend the GF11 land that lies within 311 Wakari Road is rezoned to LLR1 (as outlined in the s42A report).	requirement for a tree planting plan.
--	--	---	---	--	--

				• Apply two separate NDMAs. Once NDMA to cover 312 Wakari Road only, and the other to cover the remainder of GF11, with the single exception of 296 Wakari Rd which does not require an NDMA. • Remove the ‘high class soils mapped area’ from the rezoned area. • Amend the boundary of the Flagstaff-Mt Cargill SNL to exclude GF11a, and the northern area of 195 Wakari Road. • Apply a ‘structure plan mapped area’ to the rezoning area on the north side of Wakari Road only. The structure plan should have rules as follows: ○ a minimum site size and density of 1,000m² in the more elevated areas of 195 and 245 Wakari Road (the area which was recommended as LLR1 zoning in the s42A report); ○ an indicative internal roading layout, showing connection across the area, with three accesses to Wakari Road, at indicative locations; ○ a requirement for a 5,000m² recreation reserve, with the location and responsibility to develop to be determined at the time of subdivision; and ○ A requirement for an amenity tree planting plan.	
GF14	336 & 336A Portobello Road, The Cove	DCC Transport: DCC Transport has discussed this proposal further with the submitter’s transport consultant. Mr Watson advises that, subject to final detailed design, the proposed access arrangements could be made to work. There are no longer any overriding transport objections to the proposal, as there appears to be a solution (albeit non-compliant and with minor deficiencies) that would be accepted, and further improvements may be achievable. Stantec: The geotechnical assessment provided aligned with Stantec’s expectations for the site. The site does not appear to have any endemic global slope stability risk that would be exacerbated by future development. There are a number of hazards on the site that will need to be mitigated through engineering design and general good earthworks practices at the time of subdivision and development. Overall, site is suitable for rezoning. 3 Waters: Rezoning can be supported, noting that the evidence provided regarding stormwater servicing suggests that what is proposed will not meet new Variation 2 rules for stormwater management, including Policy 9.2.1.Y. However, 3 Waters believe that it is possible to	Mr Joe Morrison: • Outlined history and vision for the site. • Nine dwellings total are planned (one as of right, plus an additional eight should rezoning proceed). Ms Bridget Irving: • Tabled legal submissions. • Most concerns outlined in the s42A report can be addressed. • Structure plan not considered necessary, but open to this if deemed necessary for rezoning. • Considers that an NDMA is not necessary. • There is no intention to develop in the SNL. Mr Darryl Sycamore: • Sufficient transport evidence has been provided to satisfy the concerns in the section 42A report. • There will be no downslope stormwater effects, and therefore does not support an NDMA Ms Grace Ryan: • Outlined proposed roading upgrades. • Acknowledges that intersection sight distances along Portobello Road could be challenging to achieve. • All roading upgrades are anticipated to occur within the legal road corridor • Notes that the retaining walls shown in the concept designs don’t require anchors back, so wouldn’t require access to neighbouring (private) land.	Response Points • I note the updated area proposed for GF14, which is shown in Figure 2 of Mr Sycamore’s evidence. The updated area is situated entirely outside of the SNL. I consider this is appropriate, given the re-aligning of the SNL boundary. • NDMA: DCC 3 Waters consider that the NDMA should remain if the site is rezoned as the proposal for stormwater servicing is currently inadequate, particularly with regards to stormwater quality. An NDMA would ensure that the specific requirements for stormwater management, including stormwater quality and meeting Policy 9.2.1.Y, would have to be met before development could occur. DCC 3 Waters consider that meeting the NDMA standard is achievable, and that the site can be rezoned from a 3 Waters perspective. • Applying an NDMA overlay does affect who is considered an affected person as per Rule 15.4.Z. For consent applications in an NDMA that include a stormwater management plan (as required by Rule 9.9.X), any owners of the land within the area to which the proposed plan or system relates will be considered affected persons in accordance with section 95B of the RMA where their written approval is not provided. However, this is unlikely to be relevant as the site is owned by a single owner. I also note that, as per Rule 15.4.5.X, the Otago Regional Council is also an affected party in relation to stormwater management. • Regarding Ms Irving’s comment that NDMAs are primarily intended to manage larger greenfield areas. While the s32 report generally discussed the application of NDMA in relation to ‘large areas of greenfield development’, there is no provision in the plan that limits its use in this way. I consider that application of an NDMA is relevant where there are matters that are mostly appropriately managed under those provisions. For GF14, 3 Waters advise that stormwater management is best undertaken through the NDMA provisions. Applying an NDMA ensures that an integrated stormwater management plan is provided (Rule 9.9.X) and that the ORC is an affected party. I recommend that an NDMA is applied. • Water supply to existing residents is addressed in the 3 Waters evidence. 3 Waters has advised that the submitter has allowed for the correction of the existing non-compliant water supply connections for the 9 existing properties. This would help address the concerns of some other submitters who spoke at the hearing regarding existing water supply connections passing through the site, but not having easements.	• Rezone GF14 to Township and Settlement. • Application of a ‘new development mapped area’ • Apply a structure plan to require the upgrading of Weller Street, and the provision of a compliant water supply to the nine existing properties.

		meet the rules, and that an NDMA should be applied to the site.	Mr James Molloy: - Discussed geotechnical evidence and concludes that site is developable with no significant land instability. <u>Submitters who spoke at the hearing:</u> Mr Steve Shaw: - Opposed in particular to the scale of the proposed development. - Concerns included logistics of upgrading Weller St, current sewage pumping station not working, encroachment into the SNL, potential future damage to their property. - Considers NDMA appropriate. Ms Susan Walker: - Concerns relating to traffic, roading upgrades, intersection with Portobello Road, increased car usage, cycle safety, solid waste collection, slope stability, stormwater impacts (on Otago Harbour), and breaching Rule 8A.5.4 through construction of a retaining wall for the road. - Supports NDMA and limit on number of dwellings, should rezoning proceed. Mr Darren Watts: - Concerns relating to transport and safety issues, developer's opposition to NDMA, geotechnical concerns (noted several slips on their property), disruption to residents through roading upgrades. Mr Tom Ponting: - Concerns relating to roading/transport. In particular, issues relating to the two driveways that converge at the bottom of Wellers Road, and the intersection with Portobello Road. - Noted that if development is limited to 5 homes, there would be no requirement for substantial roading upgrades. - Concerns over water supply to existing properties. Ms Anita Chan and Mr Neil Harraway: - Support NDMA if rezoning does proceed. - Outlined concerns relating to scale of development, transport, Portobello Road intersection, natural hazards, liability for any damages, loss of rural character, and impacts to existing water supply.	- Retaining wall: DCC Transport has advised that there is no encroachment on private property with the proposed retaining wall construction. The developer may have to negotiate temporary access for construction, but that is an issue that could be addressed at the time. - Setbacks from a property boundary: Rule 8A.5.4 of the 2GP outlines the required setback for earthworks and retaining walls. The rule does not vary in terms of whether the earthworks / retaining walls relate to a public or private road. Activities that contravene this performance standard are restricted discretionary activities. - Legal status of Weller St: Weller Street is legal road from the intersection with Portobello Road up to the boundary of 335 Portobello Road (accessed off Weller Street). At this point, the formed road/track is on private land (336 Portobello Road). - Cycle access: DCC Transport has noted that the new road will have a similar grade to the current access. There is no opportunity to change the grade for cyclists. NZS4404 (Land development and subdivision infrastructure) suggests that cyclists share the carriageway for this type of development. - Feasible capacity: in the section 32 report, GF14 was assessed as having a feasible capacity of 5 dwellings if rezoned. This was updated to 5 – 8 dwellings in the s42A report. I understand this was based on discussions with the surveyor. I note the submitter is now proposing 9 dwellings. The 5 dwellings indicated in the s32 report not intended to indicate an acceptable limit, simply an estimate of feasible capacity. - If the Panel wish to limit the number of lots, this could be achieved through applying a structure plan mapped area rule. However, I note the expert evidence available does not indicate that a limit of 5 dwellings is necessary to manage effects, and I am of the view that imposing such a limit is neither necessary nor an efficient use of the land. Recommendation The key consideration with GF14 is the provision of access and the feasibility of upgrading Weller St. My recommendation in the s42A report was to not rezone, due to these issues. DCC Transport now consider that, subject to final detailed design at the time of subdivision, the proposed access arrangements are achievable. This upgrade should form part of a structure plan for the site. As noted above, I consider that an NDMA should be applied to the site, to enable appropriate assessment of stormwater management. Providing compliant water supplies to the nine existing properties (335 Portobello Road, 338 Portobello Road, 339 Portobello Road, 340 Portobello Road, 341 Portobello Road, 342 Portobello Road, and 343 Portobello Road (3 lots total)) at this location should also be required, as is being proposed by the developer. This should form part of a structure plan for the site. 3 Waters also note there are a further 10 properties that do or may have extraordinary water supply connections that could benefit from further investigation to see if these can also be upgraded. I do not consider that the zoning should depend on providing additional connections. This may be a matter that can be addressed at the time of subdivision. Overall, I recommend that GF14 be rezoned residential, subject to an NDMA and structure plan mapped area rules to manage: - Appropriate upgrading of Weller Street.	
--	--	--	---	--	--

				Provision of a DCC-Compliant potable water supply to the nine properties identified above.	
RS14	Freeman Cl. & Lambert St., Abbotsford	DCC Transport: Concerns remain regarding increased traffic on North Taieri Road, and the proposed extension and upgrading of Abbotts Hill Road. Increased traffic on North Taieri Rd and the downstream effects on the network / related junctions would remain regardless of any upgrade of Abbotts Hill Rd, and have not been adequately addressed. Overall, rezoning is not considered acceptable from a transport perspective. Landscape: Variable landscape effects, depending on the specific area being considered for rezoning. Stantec: 25 McMeakin Road: rezoning is acceptable from a hazards perspective. 42A Lambert Street: rezoning is not acceptable from a hazards perspective. 45 McMeakin Road: rezoning is acceptable from a hazards perspective. 55 McMeakin Road: rezoning is acceptable from a hazards perspective. 3 Waters: Rezoning RS14 either as a whole or in part is not supported from a 3 Waters perspective. Potable water - significant upstream network upgrades are required to service the site (with the exception of 42A Lambert St) and these have a medium to long term timeframe to resolve. Wastewater – concerns about the use of wastewater pumping regarding 42A Lambert St. Some downstream wastewater upgrades also required. Stormwater - management is possible, but it is reliant on the proper functioning of the downstream sections of watercourse. The site location has an additional risk due to being situated	Mr Kurt Bowen on behalf of Steve Ross (Nash and Ross Ltd): - Seeks 42A Lambert St (part RS14) is rezoned to GR1. - Discussed transport issues and North Taieri Road. Considering 42A Lambert St in isolation would provide for approx. 73 dwellings, unlikely to have significant effect on transport network. - Potential to upgrade/extend Abbotts Hill Road, should rest of RS14 also be rezoned. - Discussed 3W considerations, notes that wastewater would require pumping. - Hazards issues are unlikely to apply to this site but would be investigated fully at time of subdivision. - No structure plan proposed. - Clarified access to the site and states this is achievable (access would be via the corner of Hyslop and Lambert St, through the leg-in to the main area of 42A Lambert St). Jennifer Robinson (opposing): - Concerned that development could damage of existing properties, particularly with regard to stormwater run-off. - Also noted concerns about traffic on North Taieri Rd. Roger Bailey (The Bailey Family Trust) (opposing): - Concerns relating to transport and suitability of access into 42A Lambert St past his house. - Potential for hazards on 42A Lambert Street. John Rawling - Outlined concerns relating to flooding of Abbotts Creek, and that this risk will increase with further development. Gerald Finn - Outlined concerns relating to North Taieri Rd, transportation issues, impacts to Abbotsford School, insufficient hazards information provided. Elizabeth Lukeman - Outlined concerns relating to loss of character in Abbotsford, impacts to biodiversity, hazards.	Response Points - Hazards issues have been assessed by Stantec for the separate sites. I note that, for 42A Lambert Street, Stantec have commented that rezoning is not acceptable from a hazards perspective. - Scope: There is scope for the Panel to make individual decisions on the four sub-areas of RS14, as these were subject to separate submissions (S298, S281, S228, S302) each seeking a specific area of RS14 be rezoned. - DCC Transport has indicated they are currently unable to support the proposal, without further detailed information being provided on the proposed upgrade /extension of Abbotts Hill Road. DCC Transport notes that significant engineering works would be required, and there remain a number of questions as to how practical / achievable these are in terms of overall cost and the level of work involved. Concerns about North Taieri Rd also remain. - The Panel asked a question regarding the process of conversion of a legal/paper road to a formed road. I have been unable to find further information regarding this process. However, DCC Transport has noted that they think it likely Resource Consent would only be required to demonstrate compliance with dimensions, grade etc. - The Panel asked a question regarding how Development Contributions might work for the proposed roading upgrade. In order for costs to be recovered by Development Contributions, the growth component of the required upgrades would need to be included in the DCC’s 10 year plan (they currently aren’t). DCC is able to recover this component in accordance with its development contributions policy. Recommendation I note the significant amount of evidence provided by the submitters in respect to this site. I also note that the original assessment in the s42A report was based on considering RS14 as a whole, rather than on the four individual sites that constitute RS14. Stantec has considers that rezoning is acceptable from a hazards perspective, with the exception of 42A Lambert St. As a consequence, I consider rezoning 42A Lambert St to be inappropriate. DCC Transport have remaining concerns about the proposed Abbotts Hill Rd extension/upgrade, and also the impacts on North Taieri Road. Increased traffic on North Taieri Rd and the downstream effects on the network / related junctions have not been adequately addressed. 3 Waters has reviewed the submitters evidence, and has advised that rezoning is not supported, due to issues with all three waters. 3 Waters also do not support rezoning of smaller areas of the site, as proposed by some submitters, including: 42A Lambert Street (due to wastewater and stormwater concerns) 25 and 55 McMeakin Road (water and stormwater concerns). 3 Waters do not agree that the issues could be dealt with at the time of subdivision, and has commented that “our written evidence indicates a number of upgrades that would be required should the site be rezoned. The timing for some of the upgrades is medium to long term and would be likely to be different to the developer’s [timeframe], if the site were to be rezoned”.	Do not rezone RS14 as requested

		within the Mt Grand Reservoir Dam Break Hazard Zone.	Mr Gerard Hyland and Mr Brent Irving both appeared on behalf of the Dunedin Tunnels Trail Trust: - Both support the proposed rezoning of Ms Campbell's land. - Note that the Trust is currently in the process of negotiating an easement for access to Ms Campbell's land for the trail. Ms Wendy Campbell: - Outlined history of the land and vision for the site. - Note soils are not of high quality, so land may be difficult to sell as farmland. Also concerned that if the site became forestry, this could create a significant fire risk. Mr Kurt Bowen and Ms Emma Peters spoke regarding the rezoning of RS14 (on behalf of submitters, excluding 42A Lambert St): - Outlined the proposal for the site. Notes part of site is now proposed as an RTZ (as some further geotechnical investigation required in this area). - Outlined proposed amenity areas. - Proposing to upgrade Abbotts Hill Road to enable a connection to Brockville. Approximate cost would be ~\$2M. - Discussion on narrow width of North Taieri Road. - Discussion on hazards – notes original GeoSolve report provided with Ms Wendy Campbell's submission. - Discussion on 3 Waters. Acknowledges some challenges, but considers servicing feasible. - Ms Peters' recommends a structure plan for the site, including controls on built form. - Mr Bowen also discussed a proposed smaller structure plan area which covers 25 and 55 McMeakin Road only. This is proposed should the Panel be of a mind to only rezone a small sub-area of RS14.	Overall, based primarily on the transport and 3 Waters evidence received, as well as hazards issues in relation to 42A Lambert St, I do not recommend rezoning RS14. This recommendation applies to both the site as a whole, and also the individual sites that together constitute RS14. Based on the expert evidence received, I do not consider any part of RS14 is appropriate for residential rezoning at this time. I note that Ms Peters, on behalf of Ms Wendy Campbell, also outlined a proposal for an RTZ over part of 188 north Taieri Rd that sites outside the proposed structure plan area. Ms Peters' proposes that this RTZ would have a site-specific rule governing release of the land that would be subject to: (a) a geotechnical investigation indicating development is suitable, and (b) funding of the necessary upgrades to North Taieri Road are included in the 10 year plan. The area proposed for RTZ corresponds to an area identified by GeoSolve as "areas possibly suitable for residential land use (subject to further analysis and investigations)." I re-emphasise the concerns already identified by DCC Transport and 3 Waters for the RS14 area. No solutions have been proposed by the submitter in relation to North Taieri Rd or the feasibility of achieving these. The 3 Waters concerns also remain. Overall I am not supportive of a RTZ proposal.	
RS153 and RS204	Chain Hills Area, Mosgiel	DCC Transport: Subject to an updated ITA being provided as part of a future subdivision application, and the necessary upgrades being able to be delivered, there are no	<u>Gladstone Family Trust:</u> Mr Rennie Logan: Outlined history of the land, and the vision for development.	Response Points A question was asked about sight lines on Chain Hills Road. DCC Transport note that assessment of this would need to be worked through as part of the ITA for the site.	Do not rezone RS153 and RS204 as requested

		overriding Transport objections to this proposal Landscape: Mr McKinlay broadly agrees with the submitter's landscape report conclusions that residential development in Areas A, B, M, N is acceptable from a landscape perspective. However McKinlay considers that Area B should be limited to the low-mid slopes (up to approx. 90m contour). 3 Waters: Stormwater management: The evidence supplied is a high level options assessment and does not provide detail on the sizing of stormwater management infrastructure. The Quarry Creek / Owhiro Stream drainage system is complex. The ORC's Owhiro Stream Flood Hazard Study (2019) indicates that "future development in the area should be undertaken with careful consideration of local impacts on peak flow and runoff volume, and loss of storage capacity due to filling in of floodplain areas." It is unclear whether the stormwater management proposed would meet the 2GP stormwater management provisions. The submitter's evidence is also silent on 3 Waters' concerns regarding affordability. If the land were rezoned, applying an NDMA to the site would ensure that, unless the new stormwater management rules in Variation 2 are met, development could not proceed. Overall, 3 Waters position remains the same. There are significant upgrades required in relation to the potable water network. Significant upgrades are also required to the wastewater network. Rezoning cannot be adequately serviced.	- Also provided information relating to stormwater management. Mr Phil Page: - Provided legal submissions - Submits Policy 6(b) of the NPS-UD means that landscape amenity effects on neighbours should not be considered adverse effects. Mr Mike Moore: - Considers effects on landscape values acceptable up to the 125m contour. Ms Emma Peters: - Discusses how landscape concerns should be weighed up in Policy 2.6.2.1 – need to balance the different factors for this site. - Notes the ecological enhancement proposal and the recreational opportunities provided. - If Panel chooses not to completely rezone site, could apply an RTZ over the upper portion of the site. Release trigger for this would be plantings reaching a certain level of maturity. - Supports NDMA for the site. Ms Melanie Stevenson (Fluent): - Discusses 3W servicing, overall position is that development can be appropriately serviced for 3 Waters. - Significant discussion on stormwater management. Mr Grant Fisher: - Considers site well suited for residential use from a transport perspective, except in relation to policies promoting a reduction in vehicle use. - A link road has previously been considered by the DCC. - Some safety upgrades to Main Rd and Old Brighton Rd have taken place since report was written. - Roading infrastructure can be used to control rat-running, if assessed as necessary at the time of subdivision. <u>Other submitters:</u> Mr Gordon Hunt: - Opposes rezoning. Particularly concerned about development on the upper slopes, and	- Potential for RTZ on the upper slopes for landscape reasons: The RTZ method is intended to hold land while infrastructure-related issues are resolved. I do not consider that the proposal is an appropriate use of the RTZ method. - Mr Garbett's legal submission have addressed Policy 6(b) of the NPS-UD. He concludes that consideration of landscape amenity values is appropriate at the time of rezoning. Recommendation I maintain the recommendation in the s42A report, to not rezone RS153 and/or RS204. The primary reason for this is based on the 3 Waters evidence, which outlines significant issues with all three waters. Overall, 3 Waters do not support rezoning the site, either as a whole or in part, and has expressed significant concerns about servicing for all three waters. For potable water, 3 Waters has detailed concerns including low water pressure, booster pumping, firefighting water capacity, use of a restricted water supply scheme, and the "significant upgrades of the existing water network required for water supply" and the medium term timeframe required for these. For wastewater, 3 Waters has detailed concerns including lack of information for the areas proposed for self-servicing, and that "significant downstream network upgrades required as the wastewater network and treatment plants have issues in wet weather events". The timing of these upgrades are medium to long term. For stormwater 3 Waters has also expressed concerns, as outlined in column to the left. Additionally, I note Mr McKinlay's landscape recommendation that rezoning, if it occurs, should be limited to the lower slopes (below approx. the 90m contour). Therefore, while acknowledging that the submitters evidence does address some of the concerns outlined in the s42A report (e.g. transportation), I am of the view that rezoning is not appropriate for any part of this site, based in particular on the concerns outlined by 3 Waters. I therefore recommend that the Panel does not rezone RS153 or RS204 as requested.	
--	--	---	--	---	--

			the visual effects of this, the link road, traffic safety, and 3 Waters. Ms Bronwyn Hughes: • Primary concern relates to the potential for a link road, and the increased traffic and safety considerations. • Outlined safety concerns for Morris Rd, particularly for cycling. • Concerned about the potential for land subsidence. Mr John Franklin: • Opposes development. Outlined multiple concerns including unsuitability of Irwin Logan Drive, loss of green space, conflict with the values of the RMA, loss of productive land, slope stability, septic tank concerns, increase in traffic, traffic safety concerns, affordability of housing, lack of public transport, 3 Waters issues, loss of biodiversity Holly Shanks: • Opposes rezoning. Outlined concerns about wastewater, stormwater, and potable water supply, and the cost of providing these services, the potential for a link road, traffic safety issues, and lack of street lighting on Chain Hills Rd. • Does not consider location appropriate for a subdivision. Pam and Neville Jemmett: • Concerned about: loss of rural character and environment, loss of amenity at their property, stormwater run-off, potential road link, and the significant increase in traffic that would occur. • Notes that land is prone to subsidence, due to the waterlogged nature of the ground. Mr Jim Cotter: • Concerned about development contributing to private car use and implications for climate change and adverse impacts on human health and biodiversity. Debra Gale • Outlined concerns relating to access to property, transport, loss of views, hazards.		
--	--	--	--	--	--

RS170	103, 105, 107 Hall Road, Sawyers Bay	DCC Transport: No change to previously advised position. ITA required at time of subdivision. 3 Waters: 3 Waters has advised that self-servicing within Township and Settlement zoning at this location is not possible. Self-servicing is possible at LLR zoning, however self-servicing water supply may be constrained.	Mr Andrew Rutherford: - Prefer T&S zoning but acknowledges 3W constraints. - Now proposing LLR1 zoning, with 3W self-servicing. Ms Lesley Proctor: - Notes bridge identified in s42A report is identified as being in the wrong place, located adjacent to 105 Hall Rd. - Notes site is currently situated by two waterways, concerned about stormwater run-off.	Recommendation In my s42A report, I conclude that the rezoning of RS170 is generally consistent with the criteria in Policy 2.6.2.1. The exception to this was issues relating to 3 Waters servicing, and in particular wastewater and potable water supply. 3 Waters has advised the wastewater upgrades have a likely timeframe of 10-20 years (although more work is needed to understand the issues and how best to address them) and around 5 years for the potable water upgrades. I note that rezoning to LLR1, as suggested by Mr Rutherford, would allow self-servicing for 3 Waters. However, I am of the view the rezoning to LLR1 is not an efficient use of this land, and would likely prevent denser zoning in the future, once the 3 Waters constraints are resolved. I therefore do not recommend rezoning to LLR1 at this time. I also refer to the discussion from Ms Christmas on the use of LLR zoning. Overall, I retain the recommendation from the s42A report, that rezoning RS170 is not appropriate at this time.	Do not rezone RS170 as requested.
RS171	3 Brick Hill Road & 18 Noyna Road, Sawyers Bay	DCC Transport: High level transport report received from submitter. ITA would be required at time of subdivision as a number of detailed issues to be addressed. An RTZ overlay could be supported from a transport perspective (to allow agreement between developer and council for delivery of the required roading upgrades). 3 Waters: The initial comments stand, and the position remains the same. As outlined in the original assessment, there are existing constrained water supply and wastewater issues in the wider network which will take some time to resolve. Rezoning at this time is not appropriate.	Port Otago Limited (Mr L A Anderson, Ms Rebecca McGrouther, Ms Mary O’Callahan): - Significant concerns about reverse sensitivity. - Outlined current operations at the site, and how these may change over time. - A “no complaints covenant” is not suitable on its own, as Port Otago would still need to meet residential noise limits. - If rezoning were to proceed, Port Otago requests that either the existing industrial noise limits are retained for the site, or noise abatement measures (e.g. an acoustic wall) are required to bring down the noise level at the boundary of RS171. - Notes that the acoustic standards in the 2GP relate to indoor living, outdoor living spaces would still be adversely affected by noise. Mr Darryl Sycamore (updated following supplementary evidence): - Notes transport assessment provided. - Rural zoning means there is no provision on site for residential activity. - Submitter proposes to establish a 20m buffer from the Port Otago boundary for residential development. - Proposes (for the entire site): - a no complaints covenant - compliance with Rule 9.3.1.1 (acoustic insulation) - a noise standard overlay consistent with Rule 9.3.6.4 (60dB LAeq (15min) limit at all times, with 85 dB LAFmax in the evenings and overnight).	Response Points - Noise complaints: I have checked the DCC records and found no recent noise complaints relating to the property at 1121 Sir John Thorn Drive (Port Otago’s warehouse facility). - Port Otago does not support rezoning RS171. However, Mr Anderson advises that Mr Sycamore’s revised proposal, provided Rule 9.3.6.5 (as opposed to Rule 9.3.6.4) applies to the site, would meet its objections. ‘No complaints covenants’ are usually registered against a property title to alert and bind current and future lessees and/or landowners. They are usually used to restrain new activities from complaining about the adverse effects of an existing activity and often include a prohibition on the owner or occupier taking any enforcement action under the RMA. - If the Panel wishes to rezone on the basis of the submitter’s proposed noise mitigation, a noise overlay could be applied to the site with a site specific structure plan rule. Recommendation I consider that a suburban residential environment differs from the commercial and mixed use environments in terms of expectations, and the solution proposed by Mr Sycamore is likely to result in effects on amenity values for neighbours, particularly when using outside spaces. There are also potential costs associated with monitoring and enforcement, given it is likely that more complaints would be received for the area. The need for a higher limit indicates that residential zoning may not be appropriate in this location, and may not result in a good residential outcome. I note that, on the north and northeast side of the Port Otago facility, there is a Rural-zoned buffer between the residential zoning (which is located around 30-45m away). It is therefore possible that 3 Brick Hill Rd is potentially more suitable for residential zoning compared to 18 Noyna Rd, in respect of reverse sensitivity. DCC 3 Waters continues to advise that residential development is unable to be serviced for wastewater, and there is a long-term timeframe to resolve these network issues. There are also constraints with the potable water supply, and a medium term timeframe is anticipated to resolve these. For these reasons, 3 Waters does not support rezoning. Overall, it is my view that residential rezoning is not appropriate. This is based both on reverse sensitivity issues and the 3 Waters constraints. For these reasons, I do not recommend rezoning RS171.	Do not rezone RS171 as requested. Do not apply an RTZ to RS171.

			- Proposes an RTZ, to allow all site issues (transportation, 3 Waters, HAIL etc) to be resolved before residential development occurs. - Comments that the proposed stormwater detention area, plus existing established vegetation, would help attenuate light spill effects. Response from Len Anderson, for Port Otago: - Proposed noise rule (9.3.6.4) would mean the limit would only apply on each boundary if there was 20m between the residential use and no houses within 20m on the other three boundaries. - Issue would be overcome if the Harbourside Edge noise limits (9.3.6.5) applied.	The submitter's proposal of an RTZ does not address the reverse sensitivity issues outlined above. Additionally, there remains uncertainty about the timing and nature of the required wastewater upgrades. For these reasons, I am also opposed to an RTZ. I acknowledge that 3 Brick Hill Rd may be more appropriate for residential development given its distance from the Port Otago facility, but my overall view of RS171 is that it is not well aligned to residential rezoning.	
RS193	177 Tomahawk Road	DCC Transport: No overriding transport issues. An ITA would be required at subdivision. Landscape: Area A only (8 lots) would have relatively low effects on both rural character and visual amenity. Area A and B combined would have at least moderate adverse effects on rural character. Stantec: The Geosolve report identifies potential areas for development that appears to be reasonable and avoids the major hazards of the site. There are still a number of geotechnical risks on the site that will need to be mitigated through engineering design and general good earthworks practices. Based on the evidence provided in Geosolve's report, Stantec consider that there is sufficient validation that the site is suitable for the proposed rezoning, though the lot layouts on the site may be governed by geotechnical constraints 3 Waters: Initial comments stand and the 3 Waters position remains the same. 3 Waters do not support rezoning of the site overall; however, rezoning the 8 sites in Area 'A' of the structure plan may be possible in terms of 3 Waters infrastructure. 3 Waters notes that 155 Tomahawk Road is zoned General	Mr Kurt Bowen, accompanied by Danielle Nicolson and Sorrel O'Connel Milne: - Outlined the site and proposal (Areas A, B, and C to GR1, Area D to Recreation). - Only a single dwelling sought for Area C, which could be implemented via structure plan. - Areas B and C to be accessed from Tomahawk Rd. - Submitter happy to have structure rules placing a limit on the number of dwellings permitted. - Notes proposed biodiversity plantings. - Discusses 3 Waters servicing, considers this manageable. - Recommends a structure plan requiring further geotechnical investigation at the time of subdivision. - Potential for a pedestrian connection from Gloucester St down to the Tomahawk Lagoon. - Ms Nicolson and Ms Milne owners discussed their vision for the site.	Response Points - The Panel asked on how a limit on the number of dwellings permitted in an area could be achieved. I consider that a structure plan could be used to set a limit on the number of dwellings if the Panel wish to do this. - The Panel asked whether an access road servicing a residential area is permitted in Recreation zoning? There is no rule that prevents the creation of a public road or private accessway in a Recreation zone. Recommendation Firstly, I note the submitters' updated proposed structure plan, which now proposes the top half of the site for residential zoning (Areas A, B, C) and the lower half of the site as recreation zoning (Area D). DCC Transport has advised there are no overriding transport issues to resolve. Mr McKinlay advises that rezoning Area A would have low effects, while Area A and B would have at least moderate effects, in terms of rural character and visual amenity. Stantec has commented that rezoning is now acceptable from a hazards perspective. DCC 3 Waters continue to not support rezoning; however, it agreed that the proposed 8 sites in Area 'A' may be possible in terms of 3 Waters infrastructure, noting that it still has concerns over the ability to obtain a resource consent for stormwater discharge. It recommends that, if rezoning occurs, it should be on condition that: - The applicant is responsible for obtaining any resource consents associated with stormwater discharge, with input from DCC, and that the resource consent is to be vested to DCC; - Stormwater management should be combined with the adjacent 155 Tomahawk Road; - An NDMA is placed over 177 Tomahawk Road, and would ideally also include 155 Tomahawk Road to ensure that stormwater management is integrated, and costs can be shared between owners. Based on the expert 3W and landscape evidence, it is my view that rezoning, if it occurs, should be restricted to Area A. I am hesitant to recommend rezoning in Area A, due to	Should the Panel choose to rezone Area A, I would recommend: - Application of a 'new development mapped area' over the rezoned area - Application of a structure plan over the rezoned area to manage: - Restriction on the number of dwellings to 8; and - Include a note that obtaining resource consent is the applicants responsibility, and that this must be vested in DCC.

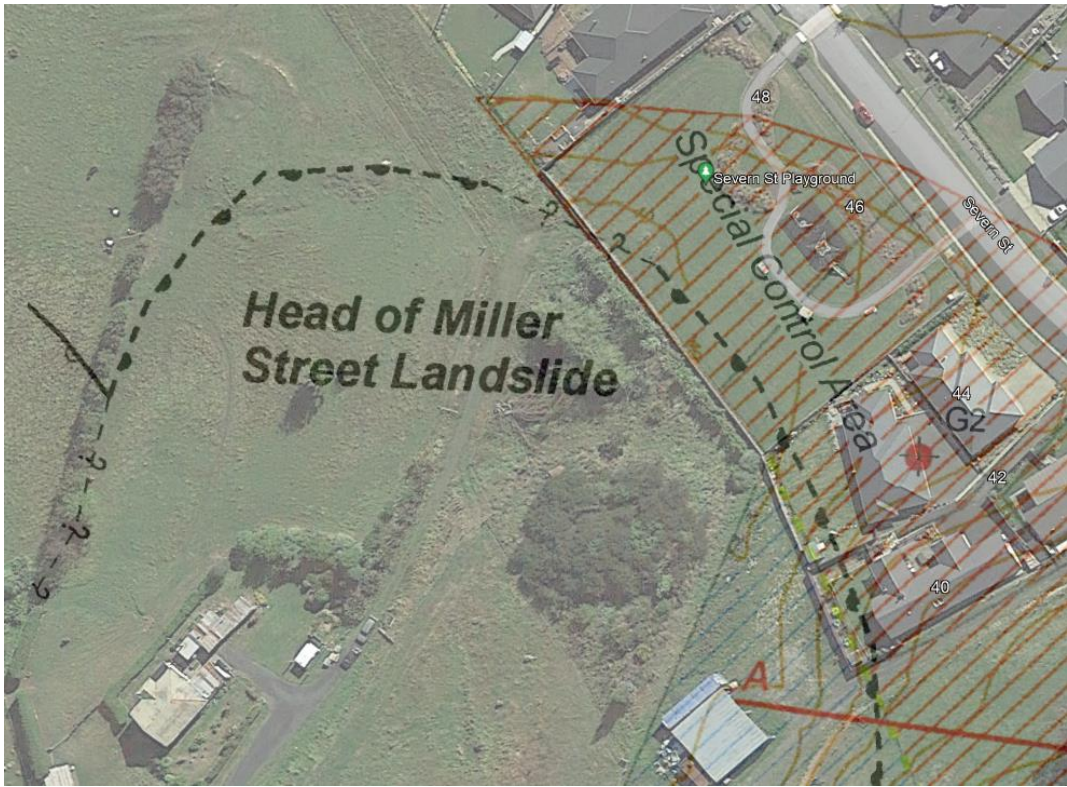
		Residential 1 and there is an opportunity to combine stormwater management and wastewater conveyance for both sites.		the concerns of 3 Waters, but note that they do consider it may be possible from an infrastructure perspective. If rezoning proceeds, I also recommend: • Application of a new development mapped area over the rezoned area (I do not consider extending this over 155 Tomahawk Rd appropriate, as subdivision and land use consent has already been granted for this site, and there is no scope to extend outside of the site in question). • Application of a structure plan mapped area to: ○ Limit the number of dwellings permitted to 8. ○ Include a note that obtaining resource consent for stormwater discharge is the applicant's responsibility, and that any consent granted must be vested in DCC.	
RS206, RS206a, RS77	35 Watts Road, 37 Watts Road, 43 Watts Road, Part 309 North Road	DCC Transport: Further information (ie. an ITA) is required prior to rezoning to demonstrate the ability to provide for the second bridge / additional site access, and the mechanisms for the infrastructure improvements being delivered at the time of subdivision. Landscape: It remains Mr McKinlay's opinion that residential development within the SNL area (Area D/RS206) is inappropriate given the SNL overlay. Regarding Area C (RS206a), Mr McKinlay acknowledges that residential rezoning of this area would have less effect on visual amenity and rural character values than higher parts of the site, however planting would be required. Regarding Area E (RS77), Mr McKinlay considers that rezoning would lead to an erosion of the natural and rural character values from these slopes. Mr McKinlay also notes concerns regarding the ability of houses in Area E to received appropriate levels of sunlight. 3 Waters: The initial comments stand and rezoning is not acceptable from a 3 Waters perspective due to concerns about wastewater servicing (existing wastewater overflows occurring and communal onsite wastewater detention may be challenging) and stormwater disposal (concern over the number of individual on-site stormwater tanks proposed, plus potential impacts on Lindsay Creek).	Mr Phil Page: • Provided legal submissions. • The existing Rural zoning does not impart any biodiversity protection to the site - it is not a vegetation management tool. • Area B is now proposed to be zoned 'Recreation', rather than GR2. • The SNL in the proposed LLR zoning area will ensure that the design controls in the 2GP continue to apply. This LLR area would self-service for wastewater. • Not all of Area E (RS77) would be developed due to steepness. However, still requests GR2 for the entire area to allow for site averaging. • Notes an agreement with the ORC to replace the existing Lindsay Creek bridge. Mr Conrad Anderson: • The majority of the site is zoned Rural but does not have any rural productivity purpose. Unable to utilise the site under the current zoning. • The proposal is well aligned with the NPS-UD. • The proposed rezoning meets the majority of Policy 2.6.2.1 criteria. • Notes that the Residential section of the 2GP doesn't directly reference SNL rules, but the rules in Chapter 10 apply within an SNL regardless of the underlying zoning. Mr Kurt Bowen: • Construction of a footpath on the south side of Watts Rd is achievable, and recommends a structure plan requiring this. • A second access point off North Rd is feasible, and again suggests this is included in a structure plan.	Response Points • The Rural Hill Slopes zone permits 1,000m² of indigenous vegetation clearance over 3 years under Rule 10.3.2.1.c.v, with some exceptions as outlined earlier in the rule. Indigenous vegetation clearance over this amount is a restricted discretionary activity. Ms Christmas discusses the purpose of the rural zone and vegetation clearance in her evidence. • A number of 3 Waters issues were raised during the hearing. In response, I have asked for 3 Waters comment on the following aspects: ○ Proposed communal wastewater detention tank: From the submitter's evidence this would service Area C and Area E, and would be located in the lowest part of the development A wastewater detention tank, for the scale of the development proposed for Areas C and E is the only approach that would address DCC 3 Waters concerns regarding the lack of wet weather capacity in the wastewater network in North East Valley. This approach was also proposed for two 2GP appeal sites and three Variation 2 sites. However, such systems are more expensive to build and operate than gravity sewer networks so 3 Waters only considers this as a solution if there is a strong need for this development when housing capacity for the area and wider city are considered. If the land is to be rezoned, then a communal wastewater detention tank for the southern area of the site is the only way that the wastewater constraints could be managed. 3 Waters still does not support rezoning of the site. ○ Whether the proposed stormwater management for Areas C and E is acceptable (consisting of ponds on the quarry floor): The proposal would need to be looked at in more detail to understand whether the stormwater management would be adequate. If the ponds are below the level of Lindsay Creek then 3 Waters would have concerns about their ability to drain and function as stormwater detention areas. Provided the new stormwater management rules in Variation 2 are applied to the whole proposed area, the site may be considered developable. However 3 Waters has concerns over the affordability of the stormwater infrastructure. ○ If rezoning occurred, would a Wastewater Constraint Mapped Area (WCMA) apply or, for the area serviced by the communal wastewater tank, would this be unnecessary? 3 Waters advises that there is an existing WCMA on the GR2 zoned area of the site. If the site were rezoned, and a communal wastewater tank required, the WCMA could be lifted from the area served by the communal wastewater detention	Do not rezone RS206, RS206a, RS77 as requested.

			- Stormwater detention ponds are proposed for the quarry floor. - A communal wastewater tank is proposed for areas E, C and the quarry floor. Area D (LLR zone) would self-service. - Notes the infrastructure assessments assume maximum development capacity. Mr Tony Milne: - Notes the development plan could change in final design, currently a concept only. - Majority of the wider SNL values don't resonate at this site. Considers rezoning will maintain the stated values of the SNL. - Notes the stand of broadleaf in the NE corner of Area D, as identified by Wildlands, and comments this could be protected via a structure plan. - Suggests building platforms in Area D should be identified in a structure plan. - Discusses shading and acknowledges shade in the winter months in Area E.	tank. The WCMA should remain / be applied for any GR2 areas of the site not serviced by a communal tank. - Further detail was requested on the nature of the upstream potable water upgrades required in this area. The 3 Waters hydraulic modelling work indicates that the trunk water main between North Road (at Glendining Ave) and the Maori Hill Treated Water Reservoir (at Drivers Road/Balmacewan Road/Highgate intersection) is likely to require upgrading. This is approximately 2km of pipe of diameter greater than 250mm, with a significant length through moderate to heavy traffic roads. The upgrades are required as a result of cumulative growth in the areas fed by this infrastructure. There is some capacity in the near term to accommodate growth demands until the significant upstream upgrades are completed. - Page 21 in Appendix 2 of Mr Milne's evidence provides a shade analysis for the site. This analysis shows all-day shade over Area E across several months of the year. I note this is an area proposed for GR2 zoning, which requires assessment against Policy 2.6.2.3, which identifies reasonable levels of sunlight as a relevant zoning consideration. As outlined by Mr McKinlay, development in this area may not provide appropriate levels of sunlight to future dwellings. - I note the suggested structure plan performance standards contained in Appendix 1 of Mr Anderson's planning evidence. For Area D (RS206), this includes protection of native vegetation, building controls, a shared access way, self-servicing for 3 Waters. For Area E (RS77), this includes protection of native vegetation, provision of a recreation reserve and walking track, and access way requirements. Recommendation My recommendation for this site remains unchanged from that in the s42A report. DCC Transport notes that, while the information provided by the submitter is helpful, DCC Transport are unable to recommend rezoning the site unless an ITA is provided prior to rezoning in relation to provision of a second access (bridge) to Area E. Mr McKinlay does not support rezoning in Area D/RS206, given the SNL overlay. He also does not support rezoning in Area E/RS77. He acknowledges that rezoning Area C/RS206a would likely have less effect on visual amenity and rural character values. I also note Mr McKinlay's concerns about appropriate access to sunlight. 3 Waters has advised it does not support rezoning the site. Stantec has previously assessed the entire site as having high level hazards, with the majority of the land having significant areas of possibility instability. No expert information was provided by the submitter in relation to hazards. Stantec's assessment was done for the broad site, and while it noted that some of the site is within typical stability limits (e.g. a small area in Area D/RS206), the "majority of the land has significant areas of possible instability". Despite the submitters assertion that instability could be dealt with at the time of subdivision, this would be an inconsistent approach compared to other sites with a high-level hazard assessment. Policy 2.6.2.1.d.viii, that states "<i>the potential risk from natural hazards, and from the potential effects of climate change on natural hazards, is no more than low, in the short to long term (Objective 11.2.1)</i>". In the absence of any submitter information to the contrary, I consider rezoning would have a fundamental conflict with this Policy.	
--	--	--	--	---	--

				Finally, I also note that there remains uncertainty about the indigenous biodiversity values present. While I note Mr Milne has identified an area of broadleaf trees that should be protected in Area E, and that Area B (RS206a) is now proposed for Recreation zoning, I remain concerned about the potential for loss of indigenous biodiversity in other areas of the site. I also refer to the Panel to the evidence of Ms Christmas, which discusses rural zoning and vegetation clearance. Overall, considering the above matters, it is my view that the site is inappropriate for residential zoning. This applies to both the site as a whole, and also the sub-areas of the site. I therefore recommend that RS206/RS206a/RS77 are not rezoned as requested.	
--	--	--	--	--	--

Additional comment on my recommendation for GF05 and GF05a (parts 353 Main South Road, Sunnyvale, Fairfield)

1. In Appendix 1 of the right of reply, given to the Panel on Tuesday 6th September, my recommendation for this site was to rezone GF05 (subject to an NDMA and a structure plan), and to not rezone GF05a (due to geotechnical concerns).
2. During the presentation from Mr Lee Patterson from Stantec, there was some discussion about the appropriateness of a road being constructed across the head of the Miller Street landslide. The proposed link road connecting Severn St with Main South Road would appear to have to pass over this area. 10m offset is recommended from this area for buildings, and a map of this is shown below:



3. If road construction was found to be too risky, there appears to be no other possible secondary connection point within the area of GF05. The primary connection would be from Main South Road.
4. I have discussed the implications of being unable to provide a link road with DCC Transport. DCC Transport has commented that, although desirable, a second access isn't necessary a reason to reject rezoning, particularly given the likely quantum of development (estimated feasible capacity is 49-70 dwellings).
5. In light of this, I wish to amend my recommendation for GF05 slightly. I still recommend rezoning GF05 to General Residential 1, however I wish to amend my structure plan recommendations to require, rather than "provision of a connecting road", provision of a pedestrian/cycling connection between Severn St and Main South Road and also an information requirement for the developer to investigate a secondary access point at the time of subdivision. In all other respects, my recommendation remains unchanged.

Additional comment on my recommendation for GF10 (Honeystone Street)

6. In Appendix 1 of the right of reply, given to the Panel on Tuesday 6th September, my recommendation for this site was to rezone GF10 to Large Lot Residential 1 (subject to a NDMA, and a structure plan to manage vegetation clearance).
7. As a result of my recommendation on GF11, as discussed above, there is potential that a roading connection from GF11 through to Honeystone St may be necessary, if the developer is unable to achieve the currently proposed access to Wakari Rd via 195 Wakari Rd.
8. Should a connection to Honeystone St be required, it is necessary to amend the proposed Honeystone Street Structure Plan Mapped Area Performance Standards (Rule 15.8.AA). This is because the current structure plan rule only permits a single crossing point through the water body that lies within GF10. If a connection with GF11 were required, two crossing points would become necessary (one to access GF11, the other to access the northern area of GF10).
9. I therefore maintain my recommendation for GF10, but recommend the structure plan wording is amended as follows to allow for a second crossing point into GF11 if required:

15.8.AA.1 Vegetation clearance

- a. Vegetation clearance must not occur within 5m of the water body that is identified on the Honeystone Street structure plan and labelled 'Water Body' (see Figure 15.8.AAA), except for:
 - i. the construction of a crossing point for a single accessway to the part of the structure plan mapped area that is on the northern side of the water body; or
 - ii. if a connection to the adjacent Helensburgh Structure Plan Mapped Area is required, construction of a crossing point for a road into the Helensburgh Structure Plan Mapped Area.

Note the location of the water body on the map is indicative only. This setback must be measured from the bank of the water body at the point of its annual fullest flow or annual highest level without overtopping its bank (see Figure 10.3.3A and Figure 10.3.3B under Rule 10.3.3 Setback from Coast and Water Bodies).

- b. Indigenous vegetation clearance must not occur within the area shown hatched green on the Honeystone Street structure plan and labelled 'Restricted Development Area (Biodiversity)'.
- c. The following types of vegetation clearance are exempt from rules 15.8.AA.1.a and 15.8.AA.1.b:
 - i. clearance that is part of conservation activity involving vegetation clearance and replacement with indigenous species;
 - ii. clearance for the maintenance of fences (including gates);
 - iii. clearance for the maintenance (but not extension) of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads, or firebreaks;
 - iv. clearance that is consistent with or provided for as part of a conservation management strategy, conservation management plan, reserve management plan or covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987;
 - v. clearance that is required to remove material infected by unwanted organisms as declared by Ministry for Primary Industries' Chief Technical Officer, or to respond to an emergency declared by the Minister for Primary Industries under the Biosecurity Act 1993;
 - vi. clearance of a pest plant listed in Appendix 10B to Section 10 of the Plan;
 - vii. clearance that is necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities;
 - viii. clearance of non-indigenous plant species and replanting within 3 months with indigenous or non-indigenous plant species, not on the pest plant list in Appendix 10B to Section 10 of the Plan, that will attain at least the same height and coverage as the plants that have been cleared.

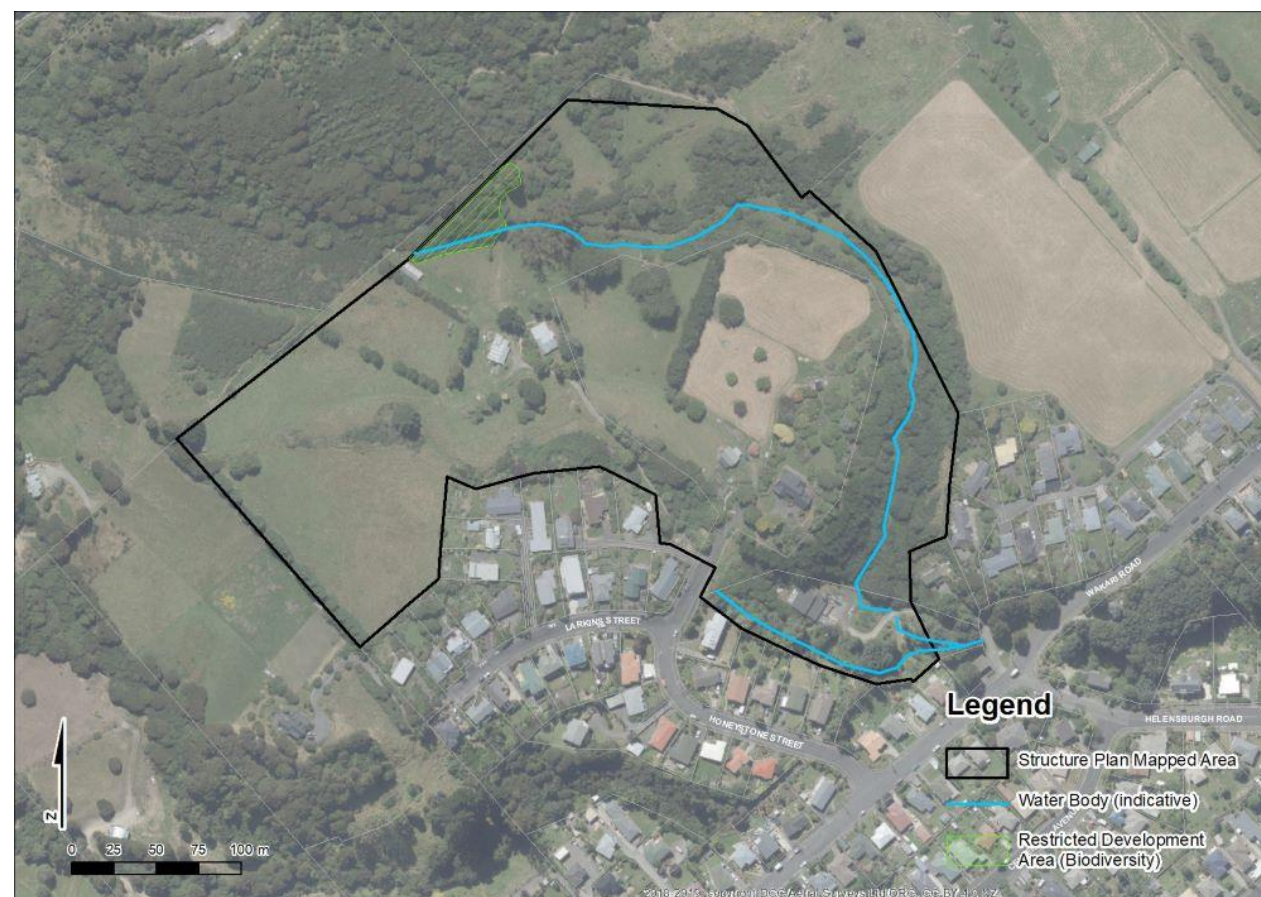
15.8.AA.2

In the case of conflict with performance standards 15.5 to 15.7 the rules in this performance standard apply.

15.8.AA.3

Activities that contravene this performance standard are a non-complying activity.

Figure 15.8.AAA: Honeystone Street structure plan



Recommendation on submission (S187.017)

10. The DCC submitted (S187.017) to apply a new development mapped area (NDMA) to any greenfield residential rezoning site added to the 2GP since notification of Variation 2 through the rezoning appeals. This submission was initially opposed by the Otago Regional Council (FS184.546); however, their tabled evidence indicates that they are supportive of the officer's recommendations in the s42A and highlights the key areas of concern
11. The section 42A report provided a list of appeal sites that I recommended an NDMA be applied to. This list was updated in my opening statement. The list of appeal sites I recommend an NDMA is applied to is as follows:
 - 49 and 55A Riccarton Road East, East Taieri.
 - 127 Inglis Street and Part 58 Ayr Street, Mosgiel.
 - Part 636 North Road, Dunedin.
 - 457 Highcliff Road, Dunedin.
 - Part 135/145 Doctors Point Road, Waitati.
 - 41 Soper Road and 20-21 Henderson Street.
12. In my opening statement I note that, if the Panel accepts S187.017 some consequential changes may be required to existing structure plan rules within the 2GP. The table below outlines the consequential changes recommended for the above sites:

Appeal site	Existing structure plan	Conflict with NDMA provisions?	Consequential changes required
49 and 55A Riccarton Road East, East Taieri.	Rule 15.8.AF Manages vehicle access	No	None
127 Inglis Street and Part 58 Ayr Street, Mosgiel.	Rule 15.8.AE Manages water saving devices, requires an ITA.	No	None
Part 636 North Road, Dunedin.	Rule 15.8.10 Manages timing of construction, vegetation clearance, access, requirement for natural hazard report, ITA, and amenity tree planting plan.	No	None
457 Highcliff Road, Dunedin.	No structure plan in place.	No	None
Part 135/145 Doctors Point Road, Waitati.	Rule 15.8.AD Manages density, provision of public walkway, minimum site size and shape, requirement for communal wastewater system, requirement for a stormwater management plan.	Yes – structure plan requires a stormwater management plan to be prepared, causing potential duplication/conflict with NDMA provision 9.9.X.	Delete Rule 15.8.AD.3 Special information requirements, from the Doctors Point Road Structure Plan. NDMA provisions only will apply.
41 Soper Road and 20-21 Henderson Street.	Rule 15.8.AI Manages notification of consent applications, access, stormwater easement, requirement for an ITA, geotechnical report, integrated stormwater management plan, and design details for stormwater management systems	Yes – structure plan requires a stormwater management plan to be prepared causing potential duplication/conflict with NDMA provision 9.9.X.	Delete Rule 15.8.AI.2 (Notification). Delete Rule 15.8.AI.4.c (Stormwater Management). Delete Note 15.8.AI.4A.b (General advice) As a result of the above changes, only the NDMA provisions regarding stormwater management would apply to this site.